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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-11800-DPW

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ADAM HELFAND, CARON HELFAND and  
MITCHELL HELFAND,  
Plaintiffs,

vs.

THE JOHN DEWEY ACADEMY, INC., THOMAS  
BRATTER, CAROLE BRATTER, KEN STEINER  
and GWENDOLYN HAMPTON,  
Defendants.

----- x  
DEPOSITION OF CARON HELFAND

Monday, November 7, 2005

Prince Lobel Glovsky & Tye, LLP

585 Commercial Street

Boston, Massachusetts 02109

Commencing at 1:22 p.m.

Reporter: Karen A. Morgan, CSR/RPR

Caron Helfand

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1 you need to consult with your attorney, you just tell  
2 me.

3 A. Okay.

4 Q. All right. Back to your address.

5 A. North Brookfield, Illinois 60062.

6 Q. Let me ask you a few preliminary questions  
7 about yourself. Where are you from originally?

8 A. Chicago.

9 Q. And did you go to public schools or private  
10 school?

11 A. Public.

12 Q. Did you go on to school after high school?

13 A. Yes. University of Illinois.

14 Q. Did you graduate?

15 A. Yes, I did.

16 Q. In what year and what was your specialty or  
17 your major?

18 A. I graduated in 1974 in retailing.

19 Q. You are married to Mitchell Helfand who is  
20 here in the room; right?

21 A. Yes, I am.

22 Q. The date of your marriage?

23 A. June 23, 1974.

24 Q. Sounds like you graduated and got married in

1 the same period of a few weeks; right?

2 A. Just about. About a month.

3 Q. Did you then work?

4 A. Yes.

5 Q. What did you do?

6 A. I was in the executive training program at  
7 Carson Perry Scott.

8 Q. What kind of a company is that?

9 A. It is retail stores.

10 Q. Did you complete that program?

11 A. Yes, I did. It was a year program. I  
12 completed it.

13 Q. Then what did you do?

14 A. Then I worked at Sak's Fifth Avenue for about  
15 five years, six years until I was pregnant with my  
16 first son.

17 Q. And your first son is named Brad; is that  
18 right?

19 A. Correct.

20 Q. His date of birth?

21 A. March 14, 1979.

22 Q. And your second son is Adam. His date of  
23 birth?

24 A. 3/10/82.

1 didn't understand the choices he was making but, you  
2 know, we still sat down as a family and talked it out  
3 with him Mitch and I. You know, he didn't run away  
4 from home. He came -- you know, he came back always.  
5 He wasn't staying out at night or disappearing.

6 Q. We will get into some of the specifics as we  
7 go along. Is it fair to say that his behavioral  
8 problems got worse in junior high school?

9 A. Yes.

10 Q. Would you describe them, please?

11 A. The individual incidents you're talking  
12 about?

13 Q. As much as you can recall. I don't want --  
14 I'm not going to put words in your mouth. I want you  
15 to tell me everything you can recall.

16 A. Okay.

17 Q. We will just do it sort of chronologically.

18 A. He started playing with lighters a lot and I  
19 used to have to search his pockets before he went to  
20 school because I was afraid he would bring a lighter to  
21 school. He got caught shoplifting at an Osco Drug  
22 store with his friend and I think they stole  
23 cigarettes.

24 Q. Is that the time he also stole condoms?

1 A. Maybe, yeah. That was the only time, yeah.

2 Q. The only time what?

3 A. That he was caught shoplifting.

4 Q. You know he stole a great deal though, don't  
5 you?

6 A. I know he stole money from a girl in high  
7 school.

8 Q. Well, let's continue with the behavioral  
9 issues that you can recall.

10 A. He keyed a car.

11 Q. He keyed a car?

12 A. Mm-mm.

13 Q. And that car belonged, did it, to someone  
14 connected with his girlfriend Tiffany?

15 A. Correct.

16 Q. And he was angry, was he, Adam?

17 A. Correct.

18 Q. And he was angry because he thought this --

19 A. I don't know why he did it.

20 Q. Didn't he tell you that or didn't you learn  
21 that he thought this young man was making fun of him?

22 A. I don't recall.

23 Q. And he scratched the car, did he?

24 A. Yes.

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1 Q. And it cost \$600 to paint it?

2 A. I don't recall the exact amount.

3 Q. You paid it?

4 A. We did.

5 Q. We or you? In other words you personally or  
6 you and your husband?

7 A. My husband and I.

8 Q. Now what discipline did you impose on Adam  
9 for that particular event?

10 A. I don't recall. I mean I remember talking to  
11 him in his room. I knew something had happened and I  
12 don't recall the punishment.

13 Q. Do you recall whether he was punished for  
14 that particular event?

15 A. Oh, there was a punishment but I don't recall  
16 what it was.

17 Q. We are still in junior high school?

18 A. Correct.

19 Q. Tell me as much as you can recall, please, of  
20 the behavioral issues or problems.

21 A. He would get angry. When he was really  
22 angry, he would punch a hole in the wall sometimes.

23 Q. Couldn't control his temper in other words?

24 A. He would get angry and that would be his way

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1 wasn't home. He should have been home.

2 Q. What other behavioral problems or issues can  
3 you remember from those years?

4 A. Just that.

5 Q. Excuse me. I'm trying to place the years.  
6 We're talking, are we, about the mid nineties. He was  
7 13 in seventh grade; is that true?

8 A. You know what? I don't recall when the motor  
9 bike was. He was young.

10 Q. He was born in March of '82.

11 A. He was in junior high. He was I believe  
12 still in junior high.

13 Q. So approximately '95, '96?

14 A. Right. Approximately.

15 Q. What else do you recall from those years?

16 A. There was a lot of negotiating with Adam.

17 Q. What do you mean by that?

18 A. If there was something that he didn't want to  
19 do, we would have to sit and negotiate with him until  
20 it worked out where we could get him to do what we  
21 needed him to do whether it was coming to a family  
22 holiday meal or wearing, you know, the right clothes to  
23 graduation or just, you know, it was negotiation.

24 Q. In one of the reports that Adam wrote, which

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1 is Steiner Exhibit 3, Mr. Hardoon, he says, my parents  
2 would bribe me to go a month without a suspension and  
3 they would get me something like a bike and pretty big  
4 stuff. Is that true?

5 A. That's true.

6 Q. Is that what you mean when you refer to  
7 negotiation?

8 A. No, no

9 Q. Explain.

10 A. That was one part. Negotiation was if it was  
11 something we had to do, go to a holiday dinner at my  
12 brother's or something and he didn't want to go, we  
13 would sit down there and talk and talk and negotiate  
14 until finally he would compromise and he would come or  
15 he would say but I'm going to stay this long and we  
16 would go okay.

17 Q. Who is your brother? What is his name?

18 A. My brother Hal. My older brother.

19 Q. Do you have another brother?

20 A. Marty. So that would be the negotiation.  
21 When he was in school, yes. We did at one time bribe  
22 him if he would, you know, do well in school and not  
23 get -- we wouldn't get any phone calls that we would  
24 buy him a bike he wanted.



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1 Q. That's not the motor bike. That's a  
2 different bike?

3 A. No. That was something else. Right.

4 Q. So he had a motor bike in junior high?

5 A. I hope it was junior high. I believe it was.

6 Q. He writes -- I'm sorry.

7 A. You know what? I'm confused as to exactly  
8 when the motor bike came.

9 Q. Well, that's okay. We can clear it up later  
10 today or tomorrow. It's not a problem.

11 A. Okay.

12 Q. Adam writes in his report with regard to the  
13 bribing, quote, I knew I controlled my parents from  
14 this point on. Did you know he felt that way?

15 A. No.

16 Q. Can you remember anything else from -- Let me  
17 just go back. Have you learned at some point over the  
18 years that that is how he felt, that is that he  
19 controlled his parents?

20 A. No. I didn't learn that. I don't recall  
21 feeling that he -- I mean no.

22 Q. Anything else you can recall from his junior  
23 high school years by way of behavioral issues and then  
24 I would also like you to tell me how he was doing in

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1 Q. He spoke with Adam. Okay. Now let me show  
2 you a document which we will mark as the first exhibit.

3 (Exhibit No. 1 marked  
4 for identification.)

5 Q. Have you seen this document before?

6 A. Yes.

7 Q. This is a psychological test report from Dr.  
8 Pinkwater; correct?

9 A. Correct.

10 Q. Reflecting that he tested Adam in August of  
11 1995 when Adam was 13; is that true?

12 A. Correct.

13 Q. Now, when did you first see this document?

14 A. I don't recall. I guess when he sent it to  
15 us.

16 Q. So it would have been back at that time?

17 A. Mm-mm.

18 Q. And in this report Dr. Pinkwater indicates  
19 that he came to see the psychologist because he made a  
20 deal with you to give him several compact disks. Do  
21 you see that?

22 A. Yes.

23 Q. Is that true?

24 A. That was true.

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1 Q. That would have been either a bribe or a  
2 negotiation I suppose?

3 A. Yes.

4 Q. And did he see Dr. Pinkwater more than once  
5 to your knowledge?

6 A. More than once.

7 Q. Yes?

8 A. Yes.

9 Q. At the end of the report Dr. Pinkwater  
10 indicates that Adam would benefit from individual and  
11 family counseling. Did you follow that recommendation?

12 A. Yes.

13 Q. What did you do?

14 A. We went back to Dr. Pinkwater. Mitch and I  
15 and Adam would go. I don't recall how many times he  
16 went but eventually Dr. Pinkwater said he wasn't  
17 getting any benefit because Adam wasn't participating  
18 and so Mitch and I just continued going when we, you  
19 know, had issues.

20 Q. How many times did you and your husband meet  
21 with Dr. Pinkwater approximately?

22 A. Over the years probably ten, 15 times. I  
23 don't know exactly.

24 MR. STEINFELD: Mr. Hardoon, I will

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1 (Exhibit No. 2 marked  
2 for identification.)

3 Q. Have you seen this document before?

4 A. I don't remember. I mean it --

5 Q. If you take a look at Page 38 at the top.  
6 The number 38 is at the top. You will see the number  
7 three in a circle over on the top left. Do you see  
8 that?

9 A. Yes.

10 Q. You recognize this to be in Adam's  
11 handwriting, do you?

12 A. Yes.

13 Q. Here he says in the third line, I shoplifted  
14 a lot when I was in the seventh grade. That's what I  
15 would do for fun. I got a kick out of it. I taught  
16 other people how to steal also. It came in handy when  
17 I needed cigarettes. I stole anything I could even if  
18 I didn't want or need it. Do you recall having read  
19 this previously?

20 A. I don't recall reading this.

21 Q. Were you aware before I just read those words  
22 that he shoplifted a lot in seventh grade?

23 A. No. I really thought he shoplifted one time  
24 and got caught and that he learned from that. I did

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1 not know.

2 Q. You now know that not to be true?

3 A. Correct.

4 Q. Did you know he taught other people how to  
5 steal?

6 A. No.

7 Q. Well, moving on from Dr. Pinkwater. Did you  
8 get help or try to get help for Adam from anybody else?

9 A. Yes. We talked to his school. We talked to  
10 his -- before he went to high school we made an  
11 appointment. We went in and talked to the school  
12 counselor, his counselor at the high school he was  
13 going to be attending. We voiced our concerns but we  
14 were always in contact with the school. I mean that's  
15 who we talked to.

16 Q. When you say the school, Adam was at more  
17 than one school. Which one are you referring to?

18 A. Field School which was his junior high and we  
19 had a very good relationship there with the principal  
20 and assistant principal and we talked to them and then  
21 he went to Glenbrook South and his counselor there, I  
22 don't recall her name but, you know, we talked to her  
23 often and then I believe we had him tested in high  
24 school at Glenbrook South so we had a meeting with the

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1 episodes.

2 Q. Well, if you look at the last page, Page 200,  
3 the signature page of this document from James Mooney.

4 A. Mm-mm, yes.

5 Q. He makes some recommendations one of which  
6 is, quote, the family should establish clear ground  
7 rules for Adam at home where he has to earn the extra  
8 benefits he seeks, i.e., driver's license, more  
9 freedom, etc. Did you agree with that recommendation?

10 A. Yes.

11 Q. Did you follow it?

12 A. We tried to. We tried to.

13 Q. By that do you mean that you set rules and he  
14 broke them?

15 A. We set rules and they were broken some of  
16 them.

17 Q. What rules did he not break that you can  
18 recall? Can you think of a single rule you made that  
19 he didn't break?

20 A. If I told him he had to be home by 11  
21 o'clock, he would be in that house at 1 o'clock.

22 Q. Anything else?

23 A. They didn't have cell phones then and if I  
24 paged him, and I paged him a million times because I

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1 was very anxious, he would find a phone and call me  
2 back and so -- and he always came home. He would let  
3 me know where he was going.

4 Q. So he had a pager?

5 A. He had a pager.

6 Q. How did he happen to have a pager?

7 A. That's what we gave him. Kids didn't have  
8 cell phones so we gave them pagers and that way if we  
9 needed to locate them, we paged them.

10 Q. Did his friends have pagers?

11 A. Everybody had pagers.

12 Q. Did you learn at some point that he used his  
13 pager to sell drugs?

14 A. I learned later on, yes.

15 Q. When you give a person a pager, do you get  
16 charged by the use?

17 A. I don't recall. I didn't pay the bill. I  
18 don't know.

19 MR. STEINFELD: Let me mark as the next  
20 document Forest Health System Outpatient Chemical  
21 Dependency Programs.

22 (Exhibit No. 4 marked  
23 for identification.)

24 Q. Have you seen this document before,

1 A. I'm his mother.

2 Q. You love him.

3 A. I love him.

4 Q. Sure.

5 A. But I also think that he was still  
6 functioning in the family and trying in his own way. I  
7 mean he wasn't leaving. He wasn't running away. He  
8 wasn't trying to get away from the family.

9 Q. In the middle of the second page question.  
10 Has the client's substance use or emotional disorder  
11 interfered with family relations. Answer from Adam,  
12 quote, patient reports it did not interfere at all.  
13 Patient stated they were bad even before I started  
14 using, close quote. Did you know he felt that way?

15 A. I must have read it.

16 Q. Did you know before you read it that that's  
17 how he felt?

18 A. No, I did not know that.

19 Q. Now, let me ask you this, Mrs. Helfand. Have  
20 you had any treatment yourself for any emotional issue?

21 A. I spoke to my doctor and got a prescription  
22 for anxiety medication to take.

23 Q. This is Dr. Berman?

24 A. Yes.



1 Q. This is the Xanax?

2 A. Yes.

3 Q. This is in 2004?

4 A. Correct.

5 Q. Other than that, in your adult lifetime have  
6 you had any psychotherapy or any kind of medication?

7 A. Just counseling. No. Just counseling with  
8 Dr. Pinkwater.

9 Q. The reason I ask is this. If you take a look  
10 at the top of this page of Exhibit 4, family members.  
11 Do you see where it says mother?

12 A. Mm-mm.

13 Q. And over on the right under mental illness  
14 yes and the word depression.

15 A. Yes.

16 Q. Apparently that's what Adam indicated.

17 A. Right.

18 Q. Was that true?

19 A. No, this is not true. I was never -- I mean  
20 I would be depressed myself because of, you know, what  
21 was going on with him. I wanted him to be happy and  
22 obviously he was not happy but, no. I never spoke to a  
23 doctor. I was never diagnosed with depression. I have  
24 never taken any kind of medication other than this last

1 time that I spoke with Dr. Berman.

2 Q. Well, any parent would be depressed or upset  
3 when confronted with these problems.

4 A. Right.

5 Q. For sure. And of course this reference here  
6 on Page 231, the second page of Exhibit 4, suggests  
7 that either Adam believed you were taking medication  
8 for depression or he lied; right?

9 MR. HARDOON: Objection.

10 A. I don't know. I don't know what he thought.

11 Q. Take a look at the following line. Patient  
12 reports mother is on medication for depression. Where  
13 would he get that idea if you know?

14 A. I don't know. I mean I don't know.

15 Q. Well, did you look at this document back when  
16 it was prepared?

17 A. I did, yes.

18 Q. And at the time you read the report, did you  
19 go to Adam and ask him where he got that idea?

20 A. No, I didn't. We were --

21 Q. Did you talk with anybody about -- did you  
22 contact the person who did this evaluation and say this  
23 isn't accurate?

24 A. No.

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1 Q. In the lengthy handwritten document which I  
2 believe you have in front of you if you could look at  
3 the page number 40 at the top. That's just the Bates  
4 stamp number in the case. It is actually Page 5 of the  
5 essay. Do you see that?

6 A. Yes.

7 Q. In the middle of the page, quote, one of the  
8 first times I actually got wasted was when I smoked  
9 opium. I went out to eat with a few friends and saw  
10 some kids from school. I was a freshman and had seen  
11 them at school. Were you aware before I just read that  
12 to you that he smoked opium as a high school freshman?

13 A. No.

14 Q. When did you read this document?

15 A. I haven't.

16 Q. Ever?

17 A. Not that I know, no.

18 Q. Down on that same page, quote, I loved it. I  
19 made more great friends and soon my life became getting  
20 stoned. I spent all my money on drugs. I even stole  
21 from my parents and friends' houses to pay for it. Is  
22 this the first you have learned of that?

23 A. Yes.

24 Q. He has never told you face-to-face?

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1 A. No.

2 Q. Are you surprised now to learn that back in  
3 his high school days he was stealing money from you?

4 A. I didn't know he was.

5 Q. I understand that. Are you surprised now to  
6 learn that he did that?

7 A. I don't know how to answer the question.

8 Q. It is a hard question. I don't fault you for  
9 that. You told me earlier about having a good  
10 relationship with him when he was younger.

11 A. Mm-mm.

12 Q. About some of the difficulties that occurred  
13 in junior high school. How would you characterize your  
14 relationship with your son Adam by the time he was a  
15 freshman in high school?

16 A. I knew he was doing things that were wrong.  
17 I didn't know what they were. I didn't trust him when  
18 he left the house. I would often follow him and I was  
19 paging him constantly so he would check in if he was  
20 not home but I did not know he was -- I thought he was  
21 using marijuana.

22 Q. And at that time did he have a part-time job?

23 A. He worked and it might have been in junior  
24 high. He bagged groceries at The Jewel. He worked at

1 Q. Exhibit 5 consists of a June 4th letter to  
2 the Helfands attached to which is a May 10, 1999  
3 report.

4 A. Right. This was the start of it. May 10th.  
5 This was the verdict.

6 Q. And a May 17th letter to the Helfands.

7 A. Mm-mm.

8 Q. An incident report with reference to Adam.

9 A. Right.

10 Q. And related documents all collectively marked  
11 as this exhibit. Now I understood you to say he was  
12 suspended for stealing \$140, but according to this, he  
13 was suspended from school for possession of a  
14 controlled substance and drug paraphernalia in May 1999  
15 and that's my confusion.

16 A. Okay. Let me explain it to you.

17 Q. Please.

18 A. Okay. It's probably me misunderstanding you.  
19 He was -- we were called on May 4th to come pick him  
20 up, that they found drug paraphernalia and residue or  
21 whatever they found in his car and then we went through  
22 a hearing so I look at that period of time as his  
23 expulsion but he was really not in school. So first I  
24 guess you would say he was suspended but it ended up in

1 an expulsion because on May 4th he was suspended and  
2 then they had a hearing for him and then on June 4th  
3 they came out with a verdict. It took them four weeks  
4 to come out with a verdict on whether on expel him or  
5 suspend him, keep him out of school.

6 Q. And after that he didn't go back to Glenbrook  
7 North?

8 A. Right. After May 4th he never went back to  
9 Glenbrook North.

10 Q. So where is the \$140 ten-day suspension?

11 A. That happened -- that was the suspension  
12 early on in his Glenbrook North.

13 Q. So there were two suspensions?

14 A. Well, I call this an expulsion. You're  
15 calling it a suspension.

16 Q. I understand. He was suspended for ten days.  
17 He went back and then he was expelled?

18 A. Then he was expelled.

19 Q. A few months later?

20 A. Correct.

21 Q. Only a few months?

22 A. Only a few months.

23 Q. He just got there in January.

24 A. He just got there in January.

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1 Q. And how did Adam get his own car?

2 A. We bought him a car.

3 Q. When did you do that?

4 A. I don't remember if it was right after he  
5 turned 16 or a couple of months later. I don't recall.

6 Q. So when I asked you earlier about the use of  
7 your car or your husband's car and you said he always  
8 would ask.

9 A. Mm-mm.

10 Q. I failed to ask the right question  
11 apparently. At some point he had his own car?

12 A. Yes.

13 Q. So he didn't have to ask anybody whether he  
14 could use that?

15 A. Mm-mm.

16 Q. Yes?

17 A. Yes.

18 Q. Did you buy it new or did you buy it used?

19 A. It was a used car.

20 Q. What kind of a used car?

21 A. It was a black Trans Am. No. I don't know.  
22 It was black, you know. A Pontiac something.

23 Q. Did you and your husband pay it?

24 A. It was a Sunbird. Yes, we paid for it.

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1 Q. How much?

2 A. You would have to ask Mitch. I don't recall.

3 Q. And what was the reason for buying Adam a  
4 car?

5 A. It was usually there was a bribe with it, you  
6 know, if you stay out of trouble, we'll buy you a car  
7 and he would do that.

8 Q. Would do what?

9 A. He would stay out of trouble for a period of  
10 time and we bought him the car then.

11 Q. Well, it appears that you had on the one hand  
12 the report from the school which looked incriminating.

13 A. Mm-mm.

14 Q. With regard to Adam and then on the other  
15 hand, you had Adam denying it; is that true?

16 MR. HARDOON: Objection.

17 A. I don't remember if Adam was denying the  
18 report but he was denying that there was marijuana  
19 substance in the car. They went in the car with  
20 masking tape and went around like this and said there  
21 was seeds of marijuana and that's why the expulsion  
22 didn't come for a month later because they sent that  
23 tape to get a police report on it.

24 Q. So just to recap this, within five months



1 A. Right and -- right.

2 Q. Did he seek any kind of counseling or therapy  
3 for himself?

4 A. No.

5 Q. And the reason?

6 A. You would have to ask him. I don't know.

7 Q. That's a fair answer. You say you didn't do  
8 it because there was no time; correct?

9 A. Mm-mm.

10 Q. Correct?

11 A. Yes.

12 Q. Adam left home in the summer of '99 and went  
13 to John Dewey Academy; have I got that right?

14 A. In June.

15 Q. In June.

16 A. Yes.

17 Q. And that's a residential program?

18 A. Yes.

19 Q. After he went to John Dewey Academy, did he  
20 ever live full-time again up to the present at your  
21 home?

22 A. No.

23 Q. Did you after he entered John Dewey Academy  
24 seek any kind of counseling or therapy for yourself?

1 Q. And my question is simply this. Do you  
2 believe that his experience at John Dewey Academy had  
3 anything to do with his ability to attend and make it  
4 through college?

5 A. I think that I probably don't know the answer  
6 to that question.

7 Q. It's a belief question.

8 A. I don't know. I don't know if Adam just grew  
9 up, if it was just a maturity thing or if it was John  
10 Dewey.

11 Q. Well, he entered John Dewey Academy in June  
12 of '99; is that right?

13 A. Correct.

14 Q. And he graduated from John Dewey in August of  
15 2001; is that correct?

16 A. Right.

17 Q. And he then went to Manhattanville from 2001  
18 to 2002; correct?

19 A. Yes.

20 Q. His freshman year?

21 A. Right.

22 Q. And he made it through that year?

23 A. Correct.

24 Q. Did he do okay?

1 has remained good ever since?

2 A. Yes.

3 Q. Through all of these problems he somehow was  
4 able to talk to her?

5 A. Yes, but she wasn't -- I mean she wasn't  
6 around, she didn't live in Chicago, for all these  
7 problems so I'm sure there is a lot of things she  
8 wasn't even aware of.

9 Q. You didn't go out of your way or your husband  
10 to share all the dirty laundry?

11 A. No.

12 Q. And her husband did your son do you know  
13 confide in him as well or was it just the aunt?

14 A. He did confide in Tom. Not at the same time  
15 but later I guess when Tom woke up in the morning but  
16 it was during -- him and Holly stayed up I think all  
17 night long. Then when Tom was up, they discussed it.  
18 If I remember, that's how it happened.

19 Q. How long if you know was it between the time  
20 Adam told his aunt what had been going on and the time  
21 the aunt told you?

22 A. Adam confessed to Holly in the summer and  
23 Holly called us up in January.

24 Q. Let me get this straight. In the summer of

1 2002 and in January 2003; have I got that right?

2 A. Right.

3 Q. I have just a small piece of unfinished  
4 business here. Exhibit 10 which we marked before is a  
5 typewritten copy of Exhibit 9, the letter of  
6 appreciation. My first question is who signed this  
7 letter?

8 A. Mitch.

9 Q. Can you explain to me why there were two  
10 versions of the same letter, one handwritten and one  
11 typed?

12 A. I don't know that we sent the handwritten  
13 one. Maybe Mitch typed it up and sent it. I don't  
14 know. I don't know. I mean we only sent one. I don't  
15 recall which one was sent. I want to say Mitch typed  
16 it up and then I rewrote it on a note card.

17 Q. But it's not the same. For example on your  
18 version, Exhibit 9, you conclude our heartfelt thanks.  
19 Caron and Mitch.

20 A. Mm-mm.

21 Q. On Exhibit 10 sincerely, Mitch. So you don't  
22 know whether they both sent were or not, do you?

23 A. My feeling is, and I'm not completely sure,  
24 is that Mitch typed this up and then when I rewrote it,

1 I changed sincerely to our heartfelt thanks.

2 Q. So you believe that it is the handwritten  
3 version that got sent out?

4 A. I think.

5 Q. All right. I thought you told me before that  
6 you drafted the letter.

7 A. I think we worked on it together. I mean  
8 Mitch sits at the computer and he'll type it and I'll  
9 often say, you know, what I think he should say because  
10 sometimes he is too straightforward and I wanted to put  
11 some emotion in it.

12 Q. Well, you say, quote, there aren't words that  
13 would adequately express our gratitude. Adam's success  
14 with his first year at college and his being appointed  
15 RA are profoundly attributable to your great work and  
16 your genuine caring for the well-being of your  
17 students. Did you believe those words when you wrote  
18 them?

19 A. When I wrote them, I did.

20 Q. Allowing Adam to come back and be part of  
21 your lives and part of your home has meant a great deal  
22 to him and us. Please know that you can call on us any  
23 time to help you or any JDA families coming to Chicago.  
24 You were sincere when you wrote that?

1 A. I was.

2 Q. Now as you sit here today, Mrs. Helfand, do  
3 you know, I'm not asking what you believe, do you know  
4 whether Tom Bratter was aware of this sexual  
5 relationship prior to sometime in the year 2003?

6 A. I can't answer that. I don't know what Tom  
7 Bratter would know.

8 Q. The same question with regard to Carole  
9 Bratter.

10 A. I don't know for sure what they know or don't  
11 know but I would assume that they would have seen  
12 things.

13 Q. That's your best answer?

14 A. Yes.

15 Q. The same question with regard to Ken Steiner.  
16 You don't know, do you?

17 A. No.

18 Q. Now returning to the summer of 2002. The  
19 child -- do you know the child's name?

20 A. No.

21 Q. I believe it's Vanessa.

22 A. I think I have heard that.

23 Q. The child was born on or about June 15th of  
24 that year; correct?

1 A. I believe so.

2 Q. And you say that your sister-in-law found out  
3 about this in the summer of that year?

4 A. Right.

5 Q. And informed you approximately five or six  
6 months later?

7 A. Right.

8 Q. Do you know why she waited that long?

9 A. Yes.

10 Q. Tell me.

11 A. She wanted Adam to come forward on his own.

12 Q. He never did?

13 A. No.

14 Q. She is the one who told you why she waited?

15 A. Yes.

16 Q. What did you say to her when she told you  
17 that?

18 A. I was in such shock over what she had told me  
19 I don't know what I said to her.

20 Q. Were you upset when you learned that she had  
21 known this for six months or nearly six months and  
22 hadn't told you?

23 A. At the time I didn't think about the length  
24 of time. I was just blown away by what she had told

1 us.

2 Q. Now have you had any e-mail correspondence  
3 with her on the subject of this sexual relationship and  
4 pregnancy?

5 A. I wouldn't have e-mails with her. I have  
6 talked on the phone.

7 Q. Many times?

8 A. Many times.

9 Q. And Adam moved out to San Diego in the spring  
10 of this year; is that true?

11 A. Yes, in May.

12 Q. And what did he do when he got there?

13 A. He found a place to live. Well, I mean he  
14 moved into a place to live now and he got a job and he  
15 was waiting to start school.

16 Q. How do you know those things?

17 A. Well, we were there in August and plus we  
18 know from Holly what is going on.

19 Q. Not from Adam?

20 A. Well, we talk to Adam but we knew it from  
21 Holly, too.

22 Q. Did he start school?

23 A. He did.

24 Q. What school? Chapman?



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## P R O C E E D I N G S

CARON HELFAND, having previously duly affirmed that her testimony would be the truth, the whole truth and nothing but the truth, testified as follows in answer to continued interrogatories by MR. STEINFELD:

Q. Good morning, Mrs. Helfand.

A. Good morning.

Q. You remain under oath.

A. Yes.

Q. And this is the resumption of the deposition of Caron Helfand at the conclusion of which we will turn to the deposition of Mitchell. Now, Mrs. Helfand, in a discussion that we have just had here off the record your attorney clarified some information with regard to Dr. Berman and you were here; right?

A. Yes.

Q. And perhaps you could just explain to me first of all who is Dr. Berman?

A. He is my gynecologist.

Q. And in your answers to interrogatories you refer to the fact that you have incurred expenses for medical treatment for anxiety. That's answer number 15. Is that an accurate response?

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1 A. Well, yes. He gave me pills for my anxiety.

2 Q. Dr. Berman?

3 A. Dr. Berman.

4 Q. And in the following interrogatory I asked  
5 you to list any doctors, therapists and so forth whom  
6 you consulted in connection with any emotional distress  
7 that you contend was based on the acts in this case and  
8 you identified Dr. Berman?

9 A. Correct.

10 Q. Now, have you at any time since learning of  
11 your son's sexual relationship with Gwen Hampton  
12 obtained any counseling?

13 A. No.

14 Q. Have you felt the need to obtain such  
15 treatment?

16 A. Sometimes.

17 Q. You and your husband have some sort of  
18 medical insurance I understand?

19 A. Correct.

20 Q. Is that Blue Cross?

21 A. Correct.

22 Q. And you understand that that provides you  
23 with a certain amount of coverage for counseling?

24 A. Correct.

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1 Q. Is it fair to say that you have not utilized  
2 the insurance benefits available to you for purposes of  
3 obtaining counseling?

4 A. Correct.

5 Q. And the same is true to your knowledge of  
6 your husband?

7 A. Correct.

8 Q. Well, if you have from time to time thought  
9 it might be helpful, I would like you to explain to  
10 me --

11 A. Sure.

12 Q. -- why you have apparently decided not to  
13 obtain such treatment.

14 A. Right. Well, how do you trust after what  
15 Adam went through? How do you find a doctor that you  
16 can trust? I mean Dr. Berman delivered Adam. I have  
17 known him for years and I trusted him. I don't know  
18 how to find a doctor after what happened with our  
19 situation at John Dewey that I would trust. I have a  
20 very hard time trusting.

21 Q. Well, you would trust Dr. Berman's advice  
22 apparently?

23 A. Yes.

24 Q. Did you ask Dr. Berman to recommend a good

1 person to give you counseling or therapy?

2 A. I did not ask him.

3 Q. Is that because you would not trust his  
4 recommendation?

5 A. I don't know that I could trust a  
6 psychologist or a psychiatrist.

7 Q. Do you know any psychologists or  
8 psychiatrists?

9 A. I know a psychologist.

10 Q. Socially?

11 A. No.

12 Q. Do you know any social workers?

13 A. No.

14 Q. Do you belong to a temple?

15 A. No.

16 Q. Have you in the past?

17 A. Yes.

18 Q. Do you know a rabbi?

19 A. Not anymore, no.

20 Q. Do you go to the synagogue on the holidays?

21 A. We used to. This year we did not.

22 Q. So when you say you used to know a rabbi, is  
23 that before --

24 A. We didn't know a rabbi. We went to services.

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1 interrogatory number eight. Do you see that?

2 A. Yes.

3 Q. B asks you to identify the date on which you  
4 first became unable or less able to enjoy the activity  
5 with Adam Helfand referring back to the contention in  
6 the complaint. Do you see that?

7 A. Yes.

8 Q. And if you go to the next page or to the  
9 bottom of the page then going over to the next page,  
10 the last part of your answer says, the relationship  
11 completely unraveled upon Adam's disclosure to us in  
12 March 2003.

13 A. Correct.

14 Q. Of the abuse by defendant Hampton and the  
15 birth of their child. Is that answer accurate?

16 A. Correct.

17 Q. I thought you told me that Adam didn't tell  
18 you, that it was Holly.

19 A. Holly told us in January but Adam -- we met  
20 Adam in California in March. He didn't know we knew  
21 until we met him. We felt we needed to be with him  
22 physically. We didn't want to call him on the phone at  
23 Manhattanville so we made arrangements on his spring  
24 vacation to meet him in California.